

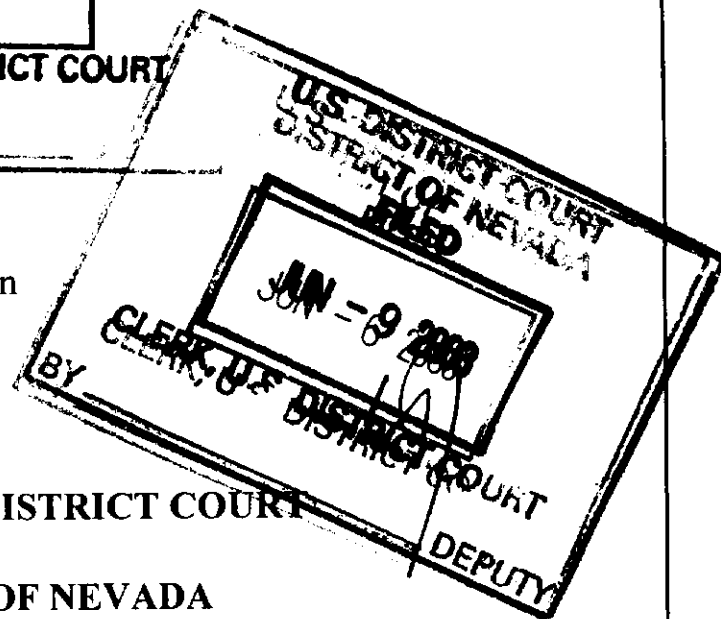
ROBERT A. DOTSON, ESQ.
Nevada State Bar No. 5285
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U.S. DISTRICT COURT
DISTRICT OF NEVADA
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JUN - 9

CLERK, U.S. DISTRICT COURT

Attorneys for Defendants
DEFENSE TECHNOLOGY CORPORATION
OF AMERICA, a Delaware corporation;
and ARMOR HOLDINGS, INC., a Florida corporation



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

LINDA S. HILTON and CARY L. HILTON,

Plaintiffs,

vs.

OMNI DISTRIBUTION, INC., a Tennessee corporation; DEFENSE TECHNOLOGY CORPORATION OF AMERICA, a Delaware corporation; ARMOR HOLDINGS, INC., a Florida corporation; DEFENSE TECHNOLOGY CORPORATION OF AMERICA, a Wyoming corporation; XM CORPORATION, a Wyoming corporation; successors in interest to DEFENSE TECHNOLOGY CORPORATION OF AMERICA, a Wyoming corporation; ROBERT L. OLIVER; and SANDRA OLIVER

Defendants.

Case No. CV-N-01-0629-HDM-RAM

DISCLOSURE OF REBUTTAL
EXPERT WITNESSES

COME NOW, Defendants, DEFENSE TECHNOLOGY CORPORATION OF AMERICA, a Delaware corporation; and ARMOR HOLDINGS, INC., a Florida corporation, by and through

59

1 their counsel, LAXALT & NOMURA, LTD., and hereby designate the following individual who
2 may offer rebuttal expert testimony in the above-captioned matter.

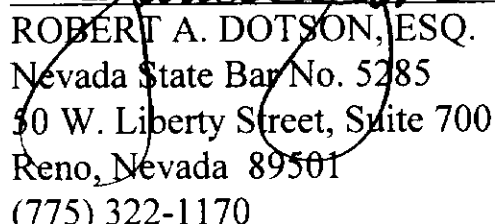
- 3 1. Ed Howden
4 Ed Howden and Associates
5 100 W. Grove Street, Suite, 412
6 Reno, NV 89509

7 Mr. Howden will provide testimony to rebut that offered by Wilcher Van Dyck &
8 Associates, concerning Officer Hilton's vocational rehabilitation, past and future employment and
9 related matters, more particularly described in his report, attached hereto as Exhibit "A." Attached
10 hereto as Exhibit "B" are Mr. Howden's CV and related documents."

11 DATED this 9th day of June, 2003.

12 LAXALT & NOMURA, LTD.

13 By:

14 
15 ROBERT A. DOTSON, ESQ.
16 Nevada State Bar No. 5285
17 50 W. Liberty Street, Suite 700
18 Reno, Nevada 89501
19 (775) 322-1170

20 Attorneys for Defendants
21 DEFENSE TECHNOLOGY CORPORATION OF
22 AMERICA, a Delaware corporation; and ARMOR
23 HOLDINGS, INC., a Florida corporation
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26
27
28

Ed Howden
AND ASSOCIATES / VOCATIONAL REHABILITATION CONSULTANTS

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June 5, 2003

Report #1

VOCATIONAL REPORT

Robert Dotson, Esq.
Laxalt & Nomura, Ltd.
Attorneys at Law
50 West Liberty Street, Ste. 700
Reno, NV 89501

RE: Linda Hilton

Dear Mr. Dotson, Esq.:

At your request, I met with you at your office on 6/03/03 to discuss the vocational assessment report dated 4/14/03 submitted by Kimberly A. Van Dyck, CRC. I was provided a copy of this report; Mrs. Van Dyck's resume and vocational expert listing, Report of 4/23/03 by Kelly Wilcher, RN, and her resume.

I was asked to offer an opinion related to Mrs. Hilton's projected future employment based on Mrs. Van Dyck's assessment and reporting. On 6/04/03 I contacted the Northern Nevada Restitution Center, inquired as to Mrs. Hilton's status and was advised that she was doing quite well but needed further prosthetic adjustment.

Linda Hilton sought and gained employment with the Nevada Department of Prisons and began her career as a Correctional Officer Trainee in 1997 and continued in that position through August 2001. She maintained a career path with the Department of Corrections moving into Correctional Case Work as a Specialist Trainee in August of 2001. She continued in this position transferring to the Warm Springs Correctional Center in Carson City Nevada in January of 2002 gaining Specialist I status in August 2002. In February 2003 to present Mrs. Hilton has continued employment as a Correctional Case Work Specialist I at the Northern Nevada Restitution Center in Reno Nevada.

My research and 20 experience in working with injured individuals in the field of corrections provides a basis for my opinion that Linda Hilton continues in her career path given her education and prior work experience. I have identified no documentation or information that would suggest that Mrs. Hilton would or should consider interruption of that career path within the next 10 years, nor prior to achieving retirement status with the Nevada Department of Prisons.

Despite the severity of Mrs. Hilton's injury, her employer at time of injury provided an alternate career path opportunity compatible with Mrs. Hilton's permanent medical restrictions. Given the work experience as a Correctional Case Work Specialist for nearly 2 years, Mrs. Hilton demonstrates the skills and ability for that position for similar type jobs in either the public or private sector. She has continued to increase her income despite her injury.

Mrs. Hilton abandoned an educational program and has developed a long-term career path in the field of corrections. There is no indication in Mrs. Van Dyck's report that Mrs. Hilton's position requires POST re-certification every 6 months. There was no information offered suggesting that the earning potential for the career path of Correctional Officer could or would offer future income to exceed career path earnings of a Case Work Specialist I.

EXHIBIT
A

Robert Dotson, Esq.
Re: Linda Hilton

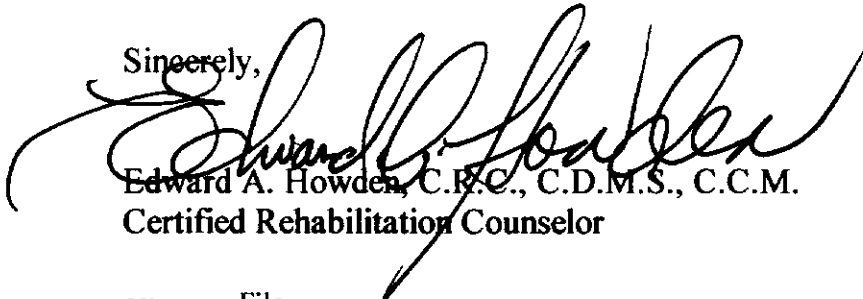
June 5, 2003
Vocational Report

PROFESSIONAL OPINIONS

1. Mrs. Hilton suffered a severe and traumatic injury resulting in amputation of her right hand at the wrist on 4/28/01 qualifying her for vocational rehabilitation.
2. Mrs. Hilton would be entitled to the development of a vocational rehabilitation program intended to maximize her earning potential if she were to be separated from the Department of Prisons. This rehabilitation process could result in substantial increase of Mrs. Hilton's earning potential intended to equal or exceed her current earning potential.
3. The stated long term goal of vocational nursing should be abandoned in any consideration of a return to work plan as the earning in that position fall well below Mrs. Hilton's current earning potential.
4. Since Mrs. Hilton currently maintains her position with the State of Nevada Department of Prisons/Corrections and there is no documentation suggesting problems in performing her assignments, I do not believe she would encounter extreme difficulty in obtaining employment using her current and existing skills.
5. Mrs. Hilton has overcome her disabling condition and continued on a career path and economic upward mobility path. She has demonstrated the ability to compete in the world of work offering no indicators that she would experience a significant wage loss should she choose to seek employment in the private sector.

This report is a summary of the activities performed in my assignment thus far. It is possible that further information may be reviewed and evaluation data may take place prior to trial. This report reflects my opinion based on my activities to date.

Sincerely,



Edward A. Howden, C.R.C., C.D.M.S., C.C.M.
Certified Rehabilitation Counselor

cc: File

EAH/tkg



AND ASSOCIATES / VOCATIONAL REHABILITATION CONSULTANTS

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EDWARD A. HOWDEN

**PROFESSIONAL
EXPERIENCE:**

7/86 - Present
President, Ed Howden and Associates, Reno, NV
Vocational Rehabilitation Consultant/ Counselor
Specializing in Nevada, California, Oregon,
Washington State, and U.S. Department of Labor
Workers' Compensation, Alternative Provider for
Social Security Administration

1983 - 1986
Office Manager,
Rehabilitation Consultant/Counselor
U.K. & Associates, Reno, NV

1982 - 1983
Vocational Rehabilitation Consultant/ Counselor
U.K. & Associates, Sacramento, CA

1981 - 1982
Assistant Director, Program Coordinator, Employee
Assistant Consultant
New Employment Opportunities of Nevada (NEON),
Reno, NV

1975 - 1980
Vocational Rehabilitation Counselor/ Coordinator
Nevada State Bureau of Vocational Rehabilitation,
Reno, NV

1971 - 1975
Teacher and Coach
Schools located in Nevada and Australia

PROFESSIONAL **Certified Rehabilitation Counselor, C.R.C.,**
CERTIFICATION: **Commission of Rehabilitation Counseling, 1835**
Rohling Rd., Suite E, Rolling Meadows, IL 60008.
Certificate #14170; 1981 - Current.

EXHIBIT
13

Page Two

Commission for Case Manager Certification, C.C.M., #M010994, The Commission for Case Manager Certification, 1835 Rohlwing Rd., Suite D, Rolling Meadows, IL 60008. 1993-Current.

National Certified Counselor, N.C.C., National Board of Certified Counselors, Inc., #4640. 1983 - 1989.

Certification of Disability Management Specialists Commission, C.D.M.S.C., The Commission on Rehabilitation Counseling Certification, 1835 Rohlwing Rd., Suite E, Rolling Meadows, IL 60008. #00921; 1985-Current.

U.S. Department of Labor, Office of Workers' Compensation, P.O. Box 3769, San Francisco, CA 94119-3769. Rehabilitation Counselor, #13-017; 1985-Current.

EDUCATION:

**Bachelor of Science, Education
University of Nevada, Reno, 1972.**

Orthotics and Prosthetics, U.C.L.A. School of Medicine, 1975.

**Psychological Disorders and Rehabilitation,
University of Oregon, 1976.**

Family Support Counseling and Training, Phase A, B, and C, 1978.

**Advanced Counseling in Dysfunctional Sexuality,
University of Nevada, Reno, 1978.**

Alcohol and Drug Studies Program, University of California, San Diego, 1980.

**Hypnosis and Stress Management Program,
University of California, San Diego, 1980.**

**Certification in Sex and Disability Counseling,
University of San Francisco, California, 1982.**



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EXPERT WITNESS/TESTIMONY OFFERED AT TRIAL OR BY DEPOSITION FILE

01-EXT101	07/86	BEARD, MICHAEL	10/07/86 TEST.
01-EXT106	01/87	BYRD, MIKE	01/21/87 TEST.
01-EXT113	03/88	O'SHAW, EUGENE	03/22/88 5 DEP.
01-EXT114	02/88	BOUDREAU, KATHLE	2/27, 3/02, 3/03/88 DEP.
01-EXT115	03/88	JONES, ROBERT C.	09/15/88 TEST.
01-EXT118	04/88	DUNLAP, SHERRY	06/14/88 DEP.
01-EXT120	06/88	CROCKETT, FREDA	06/23/88 TEST.
01-EXT122	07/88	BRANNUM, DANIEL R.	07/13/88 DEP.
01-EXT136	08/89	CHADRABA v. BALLY'S	02/20/90 TEST.
01-EXT137	04/89	HARPER v. WILLIAMS	07/24/89 DEP.
01-EXT138	04/89	VINELLA v. RENO FOOD DIST. INC.	04/27/89 DEP.
01-EXT143	07/89	VIROSTOK, FRANK	9/20, 10/04, 10/05/89 DEP.
01-EXT144	08/89	SIGSTON, PAUL W.	01/10/90 DEP.
01-EXT145	09/89	URIBE, EDUARDO	9/27, 10/26, 10/27/89 DEP.
01-EXT155	01/90	DENNIS JOHNSON v. SPPC	03/07/90 DEP.
01-EXT157	02/90	OTIS TURNER v. CITY OF RENO	04/16/90 DEP.
01-EXT163	05/90	BEAVER, TIMOTHY J.	08/27/90 DEP.
01-EXT164	05/90	HOPPER, RICHARD	07/13/90 TEST.
01-EXT166	06/90	COPELAND, JACQUELINE	01/17/91 DEP.
01-EXT167	06/90	BRITTON, ROBERT	03/05/91 DEP.
01-EXT171	08/90	SILVA v. WILLIAMS	09/11/90 DEP.
01-EXT172	10/90	REYNOLDS v. BRUNE CONSTR.	10/23/90 TEST.
01-EXT185	03/91	SHIRLEY, DAKE B.	10/22/91 TEST.
01-EXT188	06/91	SHAW, SAM	12/09/94 TEST.
01-EXT189	07/91	GAITHER, LYNN	12/22/92 DEP.
01-EXT197	10/91	SMITH, SYLVIA	10/20/91 DEP.
01-EXT199	01/92	MORRIS, JIM	01/27/92 DEP.
01-EXT204-D	04/17/92	MCMAHON JMS WALSH v. ETNA	06/03/92 TEST.
01-EXT214-D	09/29/92	WISE, ROBERT T.	10/22/92 TEST.
01-EXT216-A	10/07/92	HEIDMAN, BRIAN	01/14/93 TEST.
01-EXT221-D	04/06/93	D'HONDT, RONALD	09/13/93 DEP.
01-EXT222-A	04/12/93	JORGENSEN v. BADOMA TRNSP.	06/29/93 DEP.
01-EXT223-A		JENKINS, MICHAEL C.	11/23/93 TEST.
01-EXT231-A	02/14/94	M. WILLIAMS v. SPPC	08/12/94 DEP.
01-EXT240	05/27/94	WALTERS, DELBERT	06/15/94 TEST.
01-EXT251	01/05/95	SUE L. EMOS v. RENO BUS. CLLG.	1/5, 2/14, 2/23/95 TEST.
01-EXT252-D	01/23/95	GUY BURT v. FITZGERALD'S	03/10/95 DEP.
01-EXT257-A	02/06/95	MAHLUM v. DOW CORNING CORP.	10/10/95 TEST.
01-EXT259-A	02/16/95	COOKE, ROBERT L.	04/10/95 DEP.

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01-EXT268-D	05/17/95	SCHMITZ v. MCDONALD'S	10/12/95 DEP.
01-EXT-278	09/25/95	SHAFFER v. KOMATSU DRESSER	01/18/96 TEST.
01-EXT-281-D	11/28/95	JIMINEZ v. SO. PACIF. TRANS CO.	04/04/96 DEP.
01-EXT-293-D	06/03/96	HENDERSON v. MIRR	07/02/96 DEP.
01-EXT-296-D	06/25/96	SCHUMANSKI v. SCHUMANSKI	09/12/96 TEST.
01-EXT-305-A	10/25/96	THOMPSON, SUSAN L.	10/18/96 DEP.
01-EXT-306-A	11/26/96	MAPLES, JOHNNY L.	02/10/97 DEP.
01-EXT-310-D	12/19/96	GARRETT/SHIELDS	03/20/97 TEST.
01-EXT-311-A	12/23/96	BLAYNEY v. SYLVA	5/29, 5/30/97 TEST.
01-EXT-318-A	03/17/97	JIM KELLY v. SIERRA AT TAHOE	06/03/97 DEP.
01-EXT-327-A	06/18/97	RODRIGO RIVERA v. DOES	11/06/98 DEP.
01-EXT-333-D	09/03/97	GARMS v. TROUP, ET AL	01/08/98 DEP.
			01/16/98 TEST.
01-EXT-345-A	01/27/98	ZIEGLER, PETER	01/19/99 DEP.
01-EXT-352-A	03/16/98	MONTY SCHISEL v. SANTE FE	08/02/99 DEP.
			09/08/99 DEP.
01-EXT-357-D	03/19/98	MUNTIFERING v. LAZETICH	04/28/98 DEP.
01-EXT-372-A	07/28/98	GOSCHE, SANDRA	05/04/00 TEST.
01-EXT-377-D	08/24/98	NICOLAUS v. WESTSIDE TRANS.	10/15/98, 12/14/98 DEP.
			01/14/99 TEST.
01-EXT-379-D	09/29/98	MCLEOD, CHERI v. GARDNER	10/29/98 DEP.
01-EXT-385-D	01/11/99	WYMER v. TRI-VALLEY DIST.	02/19/99 DEP.
01-EXT-392-A	03/15/99	HARSHBARGER v. SPPC	10/08/02 DEP.
01-EXT-395-A	07/19/99	BROWN, LOUISE	07/06/00 DEP.
			10/17/00 TEST.
01-EXT-402-A	11/03/99	PIPER, ALISON v. PLOWMAN	02/03/00 DEP.
01-EXT-403-D	11/18/99	TARKINGTON v. SUTTON	01/20/00 DEP.
01-EXT-406-A	12/30/99	PATTERSON, BRENDA	02/10/00 DEP.
01-EXT-428-D	10/03/00	STAMATIS v. SMITH'S FOOD & DRUG CENTER	06/01/01 DEP.
01-EXT-434-A	11/22/00	BRIAN REXWINKEL v. LOOMIS FARGO	04/30/01 DEP.
			05/07/01 SETTLEMENT
			CONFERENCE TEST.
01-EXT-449-D	04/03/01	GRIFFIN, RAYMOND	11/27/01 DEP.
01-EXT-451-D	04/05/01	HAINZE, KURT v. AREA TRANSIT MGMT., INC.	08/01/02
			& 08/02/02 DEP.
01-EXT-454-D	05/30/01	LACHAUX, GILBERT	11/20/01 TEST.
01-EXT-457-D	06/22/01	CURTIS v. SPPC	08/20/01 DEP.
01-EXT-461-D	10/23/01	BRONNEKE v. RUTHERFORD	04/17/02 TEST.
01-EXT-462-A	10/29/01	JONES, KAREN	12/17/01 DEP.
			06/19/02 TEST.

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01-EXT-467-D	01/07/02	BUTCHER v. NEW HOLLAND	02/12/02 DEP.
01-EXT-468-D	11/12/01	FLORIDA CANYON MINES, INC. ads. HOUSTON	1/16/02, 4/24/02, 6/06/02, 8/15/02 APPEALS
01-EXT-476-D	06/20/02	INGRAM, KEITH	09/05/02 DEP.
01-EXT-484-D	09/17/02	LAOSY vs. JONES	10/18/02 DEP.
01-EXT-485-D	10/16/02	AIG/NATIONAL UNION FIRE adv. CRUSOS	11/08/02 DEP.
01-EXT-487-D	10/21/02	HERMES v. BERTRANDO	02/05/03 DEP.
01-EXT-493-D	02/05/03	NASH v. NEVADA YELLOW CAB CORP.	02/28/05 DEP 03/24/03 TEST.

CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I hereby certify that I am an employee of LAXALT & NOMURA, LTD., and that on the 9th day of June, 2003, I caused to be served a true and correct copy of the

DISCLOSURE OF REBUTTAL EXPERT WITNESS by:

- ☒ Mail on all parties in said action, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At the Law Offices of Laxalt & Nomura, mail placed in that designated area is given the correct amount of postage and is deposited that same date in the ordinary course of business, in a United States mailbox in the City of Reno, County of Washoe, Nevada.
- ☐ Personal delivery by causing a true copy thereof to be hand delivered this date to the address(es) at the address(es) set forth below.
- ☐ Facsimile on the parties in said action by causing a true copy thereof to be telecopied to the number indicated after the address(es) noted below.
- ☐ Federal Express or other overnight delivery.
- ☐ Reno/Carson Messenger Service

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An employee of Laxalt & Nomura, Ltd.